

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Cr.A. No. 07-MJ-043-MPT-1
	:	
WILLIAM STATTS,	:	
	:	
Defendant.	:	

**MOTION FOR PRE-TRIAL RELEASE**

**COMES NOW**, Defendant William Statts by and through his attorney, John S. Malik, and respectfully requests that this Honorable Court grant Defendant Statts Pre-Trial Release subject to conditions based upon the following grounds:

1. As of March 8, 2007, Defendant William Statts has been held in federal custody on charges of Conspiracy to Traffic in Goods and Knowingly Using Counterfeit Marks in Connection with Such Goods in violation of 18 U.S.C. §§ 371 and 2320. Defendant Statts has been indicted in federal court in Virginia on the aforesaid charges.

2. On or about March 14, 2007 Defendant Statts appeared before the Court for a Preliminary Hearing. Counsel sought to preserve Defendant Statts privilege to seek Pretrial Release for a later time in order to determine whether Defendant Statts would resolve the subject charges in Delaware or, alternatively, answer to the charges in Virginia. Defendant Statts has indicated that he wishes to resolve the matter in Virginia.

3. Counsel has spoken with Assistant United States Attorney Ilana Eisenstein, Esquire who has indicated that the government will not oppose pretrial release so long as there is surety posted in order to assure that Defendant Statts will appear at

further court proceedings. Counsel has spoken with Defendant Statts mother, Ms. Barbara Manlove, regarding the posting of surety and Ms. Manlove has indicated that she is willing to post the deed to her residence located at 3112 West 3rd Street, Wilmington, Delaware 19805 in order to secure Mr. Statts pretrial release.

4. Defendant Statts asserts that there is more than sufficient evidence to establish that a combination of conditions will assure his appearance at subsequent court dates and ensure the safety of the community.

5. Specifically, Defendant Statts requests that the Court consider the following:

a. That Defendant Statts will live with his wife, Ms. Michelle Pittman, and their children at 8054 Park Brown Road, Harrington, Delaware 19952.

b. That Defendant Statts' release would present no potential harm to the community into which he is released. It is not alleged that Defendant Statts was engaged in potentially violent behavior and he was not in possession of any firearm or other deadly weapon.

6. Defendant Statts asserts that there are numerous conditions that this Court may impose that will negate any risk of flight and ensure the safety of the community.

7. Specifically, Defendant Statts offers the following as a non-exclusive list of conditions to which his pretrial release may be subject:

a. That Defendant Statts remain in third party custody of his wife, Ms. Michelle Pittman. See 18 U.S.C. § 3142(c)(1)(B)(i).

b. That Defendant Statts maintain or seek gainful employment. See 18 U.S.C. § 3142(c)(1)(B)(ii).

c. That Defendant Statts be required to report on a regular basis to the Office of Pretrial Services of the United States Probation Office for the District of Delaware or appropriate District of Virginia. See 18 U.S.C. § 3142(c)(1)(B)(vi).

d. That Defendant Statts be required to comply with any curfew imposed by the Court. See 18 U.S.C. § 3142(c)(1)(B)(viii).

e. That Defendant Statts refrain from the excessive use of alcohol and the use of any controlled substance not prescribed by a licensed medical practitioner. See 18 U.S.C. § 3142(c)(1)(B)(xi).

f. That Defendant Statts refrain from possessing any firearms or dangerous weapons. See 18 U.S.C. § 3142(c)(1)(B)(viii).

g. That Defendant Statts be required to post secured bond in the amount of Ten thousand dollars (\$10,000.00) by way of a deed to 3112 West 3rd Street, Wilmington, Delaware 19805, See 18 U.S.C. § 3142(c)(1)(B)(xi).

8. Defendant Statts submits that he would strictly abide by and follow any and all conditions that this Court may impose as a condition of his pretrial release.

**WHEREFORE,** Defendant Statts respectfully requests that this Honorable Court enter an Order granting his pretrial release subject to the conditions listed above.

Respectfully submitted,

/s/ John S. Malik  
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(302) 427-2247  
Attorney for Defendant,  
William Statts

/s/ Jay C. Whittle

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Attorney for Defendant,

William Statts

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**ORDER**

**AND NOW, TO WIT**, this \_\_\_\_ day of April, A.D., 2007, Defendant William Statts' Motion for Pretrial Release having been duly heard and considered,

**IT IS SO ORDERED:**

That Defendant William Statts is hereby placed on pretrial release subject to the following conditions:

- a. That Defendant Statts be required to report on a regular basis to the Office of Pretrial Services of the United States Probation Office for the District of Delaware in Wilmington.
- b. That Defendant be required to post a secure bond in the amount of Ten thousand dollars (\$10,000.00), which may be secured by the deed to 3112 West 3<sup>rd</sup> Street, Wilmington, Delaware 19805.

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THE HONORABLE MARY PAT THYNGE

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**CERTIFICATE OF SERVICE**

I, John S. Malik, hereby certify that on this 24th day of April, A.D., 2007 I have caused to be delivered two (2) copies of Defendant William Statts' Motion for Pretrial Release to be served electronically upon the following individual at the following address:

Ilana Eisenstein, Esquire  
Assistant United States Attorney  
United States Attorney's Office  
Nemours Building  
1007 Orange Street, Suite 700  
Wilmington, Delaware 19801

/s/ John S. Malik  
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William Statts